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9 Attorneys for Plaintiff

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION
13

14 UNITED STATES OF AMERICA,)	CR 07-0428 MMC
)	
15 Plaintiff,)	STIPULATION AND PROPOSED ORDER
)	CONTINUING FURTHER STATUS / TRIAL
16 v.)	SETTING DATE
)	
17 CARMAN CHAN and PAUL LEUNG,)	
)	
18 Defendants.)	
)	

19 _____

20 This matter is currently scheduled for a Change of Plea before this Court on Wednesday,
21 February 27, 2008 at 2:30 pm. Counsel for the government has been out of the Office on
22 medical leave due to an injury and has not had an opportunity to complete the restitution
23 calculation portion of the plea agreement and provide counsel for the defendant with an
24 approved plea agreement. Further, counsel for the government will have knee surgery on
25 February 20, 2008, necessitating an additional estimated 2 weeks medical leave following
26 surgery. To afford counsel for government adequate time to complete preparation of th plea
27 agreement and to afford defense counsel adequate time to discuss this plea agreement with the
28 defendants, the parties request that the date for Change of Plea be continued until April 2, 2008.

1 The parties agree that time is properly excluded under the Speedy Trial Act for continuity and
2 effective preparation of counsel. 18 U.S.C. §§ 3161(h)(8)(A) and 3161(h)(8)(B)(iv).

3 For the foregoing reasons, the parties agree to continue this matter for hearing until April
4 2, 2008 at 2:30 p.m.

5
6 SO STIPULATED:

7 JOSEPH P. RUSSONIELLO
8 United States Attorney

9 DATED: February 12, 2008

10 /s/
DENISE MARIE BARTON
Assistant United States Attorney

11
12 DATED: February 12, 2008

13 /s/
GARRICK LEW
Attorney for CARMAN CHAN

14 DATED: February 12, 2008

15 /s/
MATTHEW SIROKA
Attorney for PAUL LEUNG

16 ORDER

17 For the foregoing reasons, this matter is continued until April 2, 2008 at 2:30 p.m.
18 Pursuant to the Speedy Trial Act, Title 18 United States Code, sections 3161(h)(8)(A) and
19 3161(h)(8)(B)(iv), the ends of justice are served by granting the requested continuance, given
20 that failure to do so would deny the parties continuity of counsel and reasonable time for
21 effective preparation, taking into account the exercise of due diligence. Accordingly, time shall
22 be excluded from February 27, 2008 through April 2, 2008 .

23 SO ORDERED.

24
25 DATED: February 13, 2008

26 
HONORABLE MAXINE M. CHISNEY
United States District Court Judge